

Janet Napolitano
Governor

Robert B. Pinkert, O.D.
President

Christina M. Sorenson, O.D.
Vice President



Arizona State Board of Optometry
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Margaret Whelan
Executive Director

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**MEETING NOTICE AND AGENDA FOR REGULAR MEETING
SEPTEMBER 15, 2006 SCHEDULED TO COMMENCE AT 9:00 A.M.**

Pursuant to A.R.S. §38-431.02, notice is hereby given to the general public and to the members of the Arizona State Board of Optometry, that a regular meeting open to the public will be held on September 15, 2006 at 9:00 AM. The meeting is at 1400 W. Washington, Room B-1 in Phoenix, AZ.

For further information regarding agenda material, please contact Paula Hollins, Licensing Administrator, at (602) 542-8164.

The Board reserves the right to change the order of items on the agenda, except for public hearings set for a specific time. Please note that any recommendations listed on the agenda are merely suggested Board actions.

These recommendations do not become final until adopted by the Board. The Board has the authority to accept, reject, or modify any recommendation listed on the agenda.

Americans with Disabilities Act: Persons with disabilities may request reasonable accommodations by contacting the Arizona State Board of Optometry (ASBOO) Executive Director, Margaret Whelan, at (602) 542-8155. Please make requests as early as possible to allow time to arrange the accommodation.

Board Members

Robert B. Pinkert, O.D., President
Christina M. Sorenson, O.D., Vice-President
Caroline Griego, O.D.
Robert J. Maynard, O.D.
Curtis R. Winkler, M.D.
Melissa Bengtson, Public Member

Staff:

Margaret Whelan, Executive Director
Paula Hollins, Licensing Administrator

Legal Counsel:

Melissa Cornelius, Assistant Attorney General

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| A. CALL TO ORDER: | Dr. Pinkert |
| B. ROLL CALL: | Ms. Hollins |
| C. PRESIDENT'S REPORT: | Dr. Pinkert |

D. REVIEW, DISCUSSION AND VOTE ON INVESTIGATIVE REVIEWS/COMPLAINTS:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

1. A.P. vs. Lana Wade, O.D. and Gregory Simpson, O.D. IR#200702

E. REVIEW, DISCUSSION AND POSSIBLE BLOCK VOTE ON PENDING REGULAR LICENSE APPLICATIONS:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

2. Hoang, Corona
3. Patel, Pramesh

F. REVIEW, DISCUSSION AND POSSIBLE BLOCK VOTE ON PENDING ENDORSEMENT APPLICATIONS:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

4. Ng, Nolan
5. Schanes, David

G. REVIEW, DISCUSSION AND POSSIBLE VOTE ON PHARMACEUTICAL AGENT CERTIFICATE APPLICATION:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

6. Kuhns, Ronald

H. REVIEW, DISCUSSION, AND POSSIBLE ACTION ON APPROVAL OF CONTINUING EDUCATION AS PROVIDED BY A.R.S. §32-1704 (D) and A.A.C. R4-21-208:

The Board may hold an executive session to receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

	Continuing Education	Date	No. of hours requested
a.	GWCO Congress 2006	October 19-22, 2006	78 Regular
b.	CAOA	September 12, 2006	3 Regular
c.	Case Presentations by VA Residents @ Metropolitan	May 16, 2006	2 Regular
d.	Implantable Collomer Lens, ICL	October 17, 2006	1 Regular
e.	2006 Vision Rehabilitation and Technology Expo	November 17, 2006	5 Regular

I. DISCUSSION WITH BOARD OF DISPENSING OPTICIANS CONCERNING ISSUES, RULES AND STATUTES:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

7. Opticians filling expired prescriptions
8. Large Optometrist owned corporations; regulating the Optical side of the business
9. Disclaimers on prescriptions for eyeglasses

J. DISCUSSION ON DISTINCTION BETWEEN ENDORSEMENT AND REGULAR APPLICATION STATUTES:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

10. Review of Endorsement applications and requirements
11. Endorsement applicants and the NBEO

K. INITIAL REVIEW OF INSURER REPORTS TO DETERMINE INVESTIGATION PROCEEDINGS:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

12. Sheldon Morgenstern, O.D.
13. Daniel McGehee, O.D.

L. REVIEW, DISCUSSION AND POSSIBLE VOTE REGARDING COMPLIANCE WITH PROBATIONARY ORDER:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

14. Vincent G. Sanchez, O.D., IR#200422

M. GENERAL DISCUSSION REGARDING USE AND MAINTENANCE OF ELECTRONIC PATIENT RECORDS:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

N. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF BOARD MEETING MINUTES:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. §38-431.03(A)(2). In addition, the board may hold an executive session to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

15. August 18, 2006 Regular Session Minutes
16. August 18, 2006 Executive Session Minutes

O. ELECTION OF OFFICERS PURSUANT TO THE PROVISIONS OF A.R.S. §32-1703(A):

The Board may hold an executive session to discuss or consult with its attorney and receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

P. EXECUTIVE DIRECTOR'S REPORT:

The board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. §38-431.03(A)(3).

17. Review of Board materials
18. Promulgation of rules to be amended
19. Tuition reimbursement
20. Summary of complaints
21. Staff review of application process
22. Miscellaneous administrative updates

Q. CALL TO PUBLIC:

Dr. Pinkert

Those wishing to address the Board need not request permission in advance; however, the Board may limit time of those persons speaking during the Call to the Public. Pursuant to A.R.S. §38-431.02(H), the Board can only take action on matters listed on the agenda. If appropriate, actions on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or schedule the matter for further discussion at a later date.

END OF AGENDA:

Margaret Whelan, Executive Director

Date